

## Message Text

CONFIDENTIAL

PAGE 01 MOSCOW 12008 01 OF 02 221902Z

47

ACTION SS-25

INFO OCT-01 ISO-00 /026 W  
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R 221633Z AUG 75  
FM AMEMBASSY MOSCOW  
TO SECSTATE WASHDC 3701  
INFO AMCONSUL LENINGRAD

C O N F I D E N T I A L SECTION 1 OF 2 MOSCOW 12008

EXDIS

E. O. 11652: GDS

TAGS: CVIS, UR, CGEN, OREP, PFOR, PINT (CRINAN, ROBERT)

SUBJ: CONGRESSMAN DRINAN JOUSTS WITH OVIR

1. SUMMARY. OVIR GAVE ONLY SCANT NOTICE IN GRANTING MEETING BY ALL-UNION OVIR CHIEF WITH CONGRESSMAN ROBERT DRINAN ON AUG 20. CONGRESSMAN MADE HARD-HITTING PRESENTATION ON EXIT PERMISSION PROBLEM AND SUBMITTED SIX NAMES OF REFUSAL CASES FOR STATUS REPORTS.

2. TWO PRECEDENTS APPEAR TO HAVE BEEN SET AT THE MEETING. FOR FIRST TIME IN EMBASSY'S MEMORY, SOVIET OFFICIALS GAVE ON-THE-SPOT REPORT ON OUTSTANDING CASES (CONCERNING TWO OF SIX NAMES PRESENTED). PERHAPS EVEN MORE SIGNIFICANT WAS OVIR CHIEF'S STATEMENT THAT COMPETENT AUTHORITIES WOULD REVISE PROCEDURES RE APPLICATION FEES FOR EXIT PERMISSION TO ACCORD WITH PROVISION IN CSCE FINAL ACT ON SUBJECT. END SUMMARY.

3. AFTER DELAYING RESPONSE TO EMBASSY REQUEST SUBMITTED AUG 13 FOR MEETING WITH CONGRESSMAN DRINAN, OVIR CALLED CONSOFF AT 0920 AUG 20 TO GRANT MEETING SCHEDULED FOR 1000 THAT SAME DAY. THE CONGRESSMAN, ACCOMPANIED BY TWO CONSOFFS, MET WITH NEWLY APPOINTED ALL-UNION OVIR CHIEF VLADIMIR SERGEYEVICH OBIDIN (WHO REPLACES ANDREY VEREYN); SECTION CHIEF KONSTANTIN IVANOVICH ZOTOV; AND THE PREVIOUSLY IDENTIFIED INSPECTOR OF THE INTERNAL AFFAIRS MINISTRY'S FOREIGN RELATIONS DEPARTMENT KAREN VIGENOVICH NERSESYAN AT OVIR HEADQUARTERS AT MOSCOW. CONSOFF  
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PAGE 02 MOSCOW 12008 01 OF 02 221902Z

FOURIER SERVED AS TWO-WAY INTERPRETER. DISCUSSION WAS FAR-

RANGING ON EXIT PERMISSION PROBLEM, WITH DRINAN EXPRESSING CONCERN MOSTLY ABOUT JEWISH CASES. OVIR OFFICIALS MAINTAINED CORDIAL, OSTENSIBLY RESPONSIVE POSE IN FACE OF CONGRESSMAN'S SHARP PROBES.

4. DRINAN OPENED DISCUSSION BY NOTING CONGRESSIONAL CONCERN REGARDING EXIT PERMISSION PROBLEMS OF SOVIET CITIZENS SEEKING TO TRAVEL TO ISRAEL OR REJOIN FAMILIES IN US. HE STATED HE IS AWARE 90,000 PERSONS HAVE BEEN PERMITTED TO TRAVEL TO ISRAEL IN RECENT YEARS, BUT THAT HE IS ALSO AWARE THAT MANY OTHERS HAVE BEEN DENIED PERMISSION IN VIOLATION OF THE FINAL ACT OF CSCE. HE REMARKED THAT HE AND OTHER CONGRESSMEN CONTINUALLY WRITE TO DOBRYNIN ABOUT SUCH CASES (HE REPEATEDLY REFERRED TO THE "THREE LETTERS A WEEK" WHICH HE CLAIMED TO SEND DOBRYNIN CONSISTENTLY).

5. IN RESPONSE, OBIDIN, WHO SERVED AS SPOKESMAN FOR THE SOVIET SIDE DURING THE MEETING, STATED THAT 98.6 PERCENT OF APPLICATIONS BY SOVIET CITIZENS FOR EXIT PERMISSION TO ISRAEL HAVE BEEN APPROVED, A CLEAR DEMONSTRATION THAT THE USSR IS LIVING UP TO HELSINKI DOCUMENT. THE PRINCIPAL REASON FOR REFUSAL OF THE REMAINING 1.4 PERCENT OF APPLICATIONS TO ISRAEL, HE SAID, HAS BEEN SECURITY CONSIDERATIONS ARISING FROM APPLICANTS' WORK OR MILITARY EXPERIENCE. HE ADDED THAT MOST OTHER COUNTRIES OF THE WORLD LIKEWISE PREVENT TRAVEL OF THEIR CITIZENS ON THOSE GROUNDS.

6. DRINAN THEN NOTED THAT HE TOOK UP "THREE OR FOUR" EXIT DENIAL CASES WITH OVIR IN LENINGRAD AND THAT IF REASONABLE ANSWERS WERE NOT FORTHCOMING IN SIX WEEKS, HE "WOULD EXPOSE THE MATTER" AT PRESS CONFERENCE AND HAVE "A HUNDRED CONGRESSMEN" WRITE DOBRYNIN.

7. THIS SERVED AS INTRODUCTION TO DRINAN'S SUBMISSION OF FOLLOWING SIX CASES OF DENIED EXIT PERMISSION, OF WHICH FIVE ARE MOSCOW RESIDENTS (SELECTED FROM LIST OF 178 MOSCOW CASES IN DRINAN'S POSSESSION) PLUS ONE FROM LITHUANIA:

A. ALEKSANDER LERNER, MOSCOW. INVITED TO VISITING PROFESSORSHIP (MATHEMATICS) AT MIT.  
CONFIDENTIAL

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PAGE 03 MOSCOW 12008 01 OF 02 221902Z

B. IDA NUDEL, MOSCOW. WISHES TO JOIN SISTER IN ISRAEL.

C. JOSIF BEYLIN, MOSCOW. WOULD LIKE TO TAKE WIFE AND CHILD TO RELATIVES IN ISRAEL.

D. ANATOLI SHARANSKY, MOSCOW. WISHES TO JOIN WIFE IN ISRAEL.

E. IL'YA PIYATETSKIY-SHAPIRO, MOSCOW. INVITED TO VISITING PROFESSORSHIP (MATHEMATICS) AT MARYLAND UNIVERSITY.

SON LIVES IN ISRAEL AND P.-SHAPIRO WISHES EVENTUALLY TO JOIN HIM PERMANENTLY.

F. MARIA DASKEVICIENE, LITHUANIA. US CITIZEN (DUAL NATIONAL) WHO HAS BEEN TRYING FOR 30 YEARS TO JOIN HER TWO SISTERS IN MASSACHUSETTS.

8. IN RESPONSE TO DRINAN'S DEMARCHE (PARA 6 ABOVE), OBIDIN STATED OVIR RECEIVES COMMUNICATIONS FROM DOBRYNIN, EXAMINES APPLICATIONS AND INFORMS MFA, WHICH IN TURN PASSES DECISIONS TO EMBASSY. HE SAID THIS IS PROCEDURE THAT WILL BE FOLLOWED IN CASES SUBMITTED BY CONGRESSMAN BOTH IN LENINGRAD AND MOSCOW. OBIDIN THEN PRODUCED "ON-THE-SPOT" RESPONSE TO TWO OF DRINAN'S SIX CASES:

A. MARIA DASKEVICIENE. CASE NOW UNDER REVIEW (DETAILS THIS CASE BEING REPORTED SEPTTEL).

B. ALEKSANDER LERNER. HE IS CURRENTLY REFUSED EXIT PERMISSION TO ISRAEL FOR REASONS OF STATE SECURITY.

COMMENT: SUCH AN "ON-THE-SPOT" ADMITTANCE OF ACQUAINTANCE-SHIP WITH SPECIFIC EXIT PERMISSION CASE BY RANKING OFFICIAL OCCURS EXTREMELY RARELY, AND IS UNPRECEDENTED IN EMBASSY EXPERIENCE WITH ALL-UNION OVIR. END COMMENT. ON HEARING NAMES OF DASKEVICIENE AND LERNER, OBIDIN EVIDENCED RECOGNITION, AND THEN CONSULTED WITH ZOTOV IN WHISPER APPARENTLY TO CONFIRM IN HIS OWN MIND THAT CASES WERE IN FACT THOSE WHICH MENTION OF NAMES HAD SUGGESTED TO HIM. HE THEN REPLIED TO DRINAN, MATTER OF FACTLY, THAT DASKEVICIENE WAS "UNDER STUDY" BUT THAT LERNER IS "ONE OF 1.4 PERCENT" REFUSED. HE WAS CAREFUL TO NOTE, IN LERNER'S CASE, THAT "TIME" MIGHT EVEN OVERCOME THIS REFUSAL.

CONFIDENTIAL

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PAGE 04 MOSCOW 12008 01 OF 02 221902Z

9. THIS DISCUSSION WAS FOLLOWED BY LIVELY DRINAN-OBIDIN EXCHANGE AS PARAPHRASED BELOW; THE FORMER POSING QUESTIONS RELATING TO EXIT PERMISSION ON DENIAL, THE LATTER STRIVING TO GIVE REASONABLE SOUNDING REPLIES. EXCHANGE IS PARAPHRASED BELOW IN ENTIRETY AS INDICATION OF UNUSUALLY FRANK AND BUSINESSLIKE OVIR RESPONSE TO QUERIES:

DRINAN -- WHAT ARE STANDARDS ON WHICH SECURITY IS JUDGED AS GROUNDS FOR REFUSING EXIT PERMISSION? I ALREADY KNOW ABOUT COMMITTEE ON SECURITY, BUT IS THERE A SET OF RULES ON BASIS OF WHICH PEOPLE CAN MAKE JUDGMENTS?

OBIDIN -- AT EACH PLACE OF WORK THERE IS A COMMITTEE ON SECURITY MADE UP OF EMPLOYEES. IT PASSES ON APPLICANTS FOR EXIT PERMITS. APPLICATIONS ARE RENEWED, BUT NO FIXED TIME

LIMITS ARE SET FOLLOWING REFUSALS. AS TIME PASSES, THAT WHICH WAS ONCE SECRET LOSES ITS IMPORT AND PERSON REFUSED ORIGINALLY COULD LATER BE APPROVED. THERE IS NO FIXED TIME PERIOD, AND REFUSAL MAY BE RESCINDED AFTER ONE, TWO, THREE, FOUR OR FIVE-YEAR PERIOD, DEPENDING ON CIRCUMSTANCES IN EACH INSTANCE.

DRINAN -- BUT AM I CORRECT THAT SOLDIERS WHO SERVE STANDARD TWO YEARS IN THE MILITARY ARE THEREBY INELIGIBLE FOR EXIT PERMISSION FOR FIVE YEARS?

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PAGE 01 MOSCOW 12008 02 OF 02 221916Z

46

ACTION SS-25

INFO OCT-01 ISO-00 /026 W

----- 035727

R 221633Z AUG 75

FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC 3702

INFO AMCONSUL LENINGRAD

C O N F I D E N T I A L SECTION 2 OF 2 MOSCOW 12008

EXDIS

OBIDIN -- NO - THERE IS NO SET TIME PERIOD FOR MILITARY CASES. THEIR CASES ARE PERIODICALLY REVIEWED AND DENIALS MAY BE REVOKED AFTER ONE, TWO, OR MORE YEARS, DEPENDING ON CIRCUMSTANCES.

DRINAN -- WHY DO REFUSENIKS ALL LOSE THEIR JOBS?

OBIDIN -- THEY DON'T ALL LOSE THEIR JOBS. SOME LEAVE JOBS, OTHERS CONTINUE TO WORK. EACH CASE HAS TO BE DECIDED INDIVIDUALLY.

DRINAN -- WHY CAN'T APPLICATION BE PRIVATE OR SECRET TO AVOID SUCH CONSEQUENCES AS LOSING JOBS, "HARRASSMENT OF CHILDREN AT SCHOOL," CUT TELEPHONE LINES, ETC.?

OBIDIN -- APPLICATIONS FOR EXIT PERMISSION CANNOT BE KEPT

SECRET AT PLACE OF WORK, SINCE COMMITTEE ON SECURITY, WHICH  
PASSES ON SECURITY ASPECTS, IS COMPOSED OF WORKER REPRESENTA-  
TIVES THERE.

AS REGARDS SCHOOLS, WE HAVE NO INFORMATION THAT CH LDREN ARE  
HARASSED. THERE IS NO REASON TO DO SUCH THINGS. (THIS  
DELIVERED WITH A BEFUDDLED-APPEARING SMILE.)

DRINAN -- I HAVE NAMES OF "HUNDREDS - EVEN THOUSANDS" OF SOVIET  
JEWS WHO SAY THAT THEY WOULD APPLY IF THEY WOULDN'T HAVE TO  
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PAGE 02 MOSCOW 12008 02 OF 02 221916Z

FEAR THE CONSEQUENCES OF LOSING JOBS, APARTMENTS, ETC.

OBIDIN -- THIS IS MERELY THE SUBJECTIVE OPINION OF THE  
APPLICANTS WHICH DOES NOT CONFORM TO THE FACTS. PEOPLE WITH  
COMMON SENSE WOULD REALIZE THIS ISN'T SO. IN ANY CASE, OVIR'S  
FUNCTION IS TO EXAMINE THE CASES OF ACTUAL APPLICANTS. IT  
CAN DO NOTHING ABOUT THOSE WHO DO NOT APPLY.

DRINAN -- I WANT YOU TO KNOW THAT I VOTED FOR THETRADE REFORM  
BILL AND AGAINST THE STEVENSON AMENDMENT TO LIMIT CREDITS TO  
THE USSR TO 300 MILLION DOLLARS. I WANT TO MAKE THE BILL WORK,  
BUT WE IN CONGRESS CANNOT REVOKE THE CREDIT LIMIT IF THERE ISN'T  
ANY UNDERSTANDING ON EXIT PERMISSION. HOW CAN I AND OTHER  
MEMBERS OF CONGRESS BRING ABOUT SUCH UNDERSTANDING?

OBIDIN -- I EMPHASIZE AGAIN THAT THE OVERWHELMING MAJORITY OF  
THOSE WHO APPLY TO LEAVE ARE PERMITTED TO DO SO BUT FEWER ARE  
APPLYING. IN JULY, ONLY 1,060 APPLICATIONS TO ISRAEL WERE  
FILED. THAT IS NOT A VERY LARGE FIGURE FOR A COUNTRY AS  
LARGE AS USSR. IT IS OUR ON-GOING JOB TO EXAMINE AND RE-  
EXAMINE APPLICATIONS. SOME REFUSED APPLICATIONS ARE LATER  
APPROVED, WHEN SECURITY ASPECTS BECOME OUTDATED. SPEAKER  
ALBERT RECENTLY DISCUSSED THIS SAME QUESTION WITH US.

DRINAN -- I HAVE FIGURES HERE ON EMIGRATION TO ISRAEL FROM  
THE USSR:

1973	33,500
1974	19,700
1975 (JAN-JUNE)	4,290

OBIDIN - YES. THE NUMBER OF APPLICATIONS SUBMITTED IS  
DECREASING, HENCE THE NUMBER WHO LEAVE IS LIKEWISE DECREASING.  
BUT THE PERCENTAGE OF REFUSALS REMAINS CONSTANT AT 1.4 PERCENT.

DRINAN -- HOW MUCH TIME WILL IT TAKE TO GET ANSWERS ON THE  
FOUR REMAINING CASES I RAISED?

OBIDIN -- IT IS DIFFICULT TO SET FIRM DEADLINE. BUT I THINK  
I CAN OBTAIN ANSWERS WITHIN ONE-TWO MONTHS AND WILL PASS THEM  
TO MFA FOR FORWARDING TO EMBASSY.  
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PAGE 03 MOSCOW 12008 02 OF 02 221916Z

DRINAN -- I AM MORE INTERESTED IN DETAILED REASONS FOR  
REFUSALS THEN MERELY YES OR NO REPLIES. SIMPLY STATING THAT  
A PERSON IS REFUSED ON SECURITY GROUNDS IS NOT SUFFICIENT. I  
AM A LAWYER AND WANT TO KNOW DETAILS AND LEGAL JUSTIFICATION.  
REFUSENIKS OFTEN SAY THEY HAVE NOTHING TO DO WITH STATE SECRETS.

OBIDIN -- VERY OFTEN EMPLOYEES ARE NOT AWARE THAT WORK THEY  
ARE ENGAGED IN IS CONNECTED WITH CLASSIFIED MATTE  
S.

10. HIGH POINT OF ABOVE-REPORTED EXCHANGE CAME ABOUT AS RESULT  
OF DRINAN DEMARCHE RE EXIT PERMISSION APPLICATION FEES.  
DRINAN WHO CONDUCTED ENTIRE CONVERSATION WITH SELF-ANNOTATED  
ENGLISH TEXT OF CSCE FINAL ACT IN HAND, STATED BLUNTLY THAT ACT  
PROHIBITED CHARGING NON-REFUNDABLE FEE TO REFUSED APPLICANT.  
"IN LENINGRAD," DRINAN SAID, " THERE IS A MAN WHO WAS REFUSED  
THREE TIMES AND EACH TIME HE REAPPLIED HE HAD TO PAY 40 RUBLE  
FEE WHICH HAS NOT BEEN REFUNDED TO HIM." DRINAN THEN DEMANDED  
EXPLANATION. IN RESPONSE, OBIDIN FIRST HESITATED, CONFERRED  
IN WHISPER WITH ZOTOV, SAT SILENTLY STARING STRAIGHT AHEAD FOR  
AS LEAST 120 SECONDS (PROMPTING FOURIER TO RE-INTERPRET DRINAN'S  
DEMAND), AGAIN EXCHANGED WHISPERS WITH ZOTOV AND THEN REPLIED:  
"WHILE OUR PAST PRACTICE HAS BEEN TO CHARGE SUCH FEES, IT IS  
APPARENT (OCHEVIDNO) THAT IN LIGHT OF THIS DOCUMENT (CSCE FINAL  
ACT) WE WILL RE-EXAMINE OUR POLICY AND ISSUE A DECREE (UKAZ) IN  
ACCORD WITH IT." AT INTERPRETER'S REQUEST, OBIDIN REPEATED  
ABOVE ASSERTION, WHICH CONSTITUTES THE FIRST ASSURANCE EMBASSY  
HAS HEARD FROM A RESPONSIBLE SOVIET OFFICIAL THAT A PARTICULAR  
SOVIET PROCEDURE WOULD BE REVISED IN IMPLEMENTATION OF CSCE  
FINAL ACT.

11. IN CLOSING HOUR-LONG MEETING, DRINAN EXPRESSED GRATITUDE  
FOR MEETING OVIR HAD ALLOTTED HIM, BUT IMMEDIATELY LAUNCHED  
COMPLAINT OVER CANCELLATION OF VISAS FOR WOULD BE  
ACCOMPANYING "CHRISTIAN MINISTERS." "THIS IS THE SECOND TIME  
YOU HAVE PULLED THIS," SAID DRINAN, "AND I WANT YOU TO KNOW  
THAT THOUSANDS OF CHRISTIAN MINISTERS IN US ARE DEEPLY CONCERNED  
WITH EMIGRATION QUESTIONS." OBIDIN MADE NO REPLY TO VISA  
REFUSAL COMPLAINT, AND MEETING ENDED WITHOUT APPARENT RANCOR  
ON PART SOVIET OFFICIALS OR DRINAN.  
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PAGE 04 MOSCOW 12008 02 OF 02 221916Z

12. COMMENT: THROUGHOUT EXCHANGE, SOVIET SIDE MAINTAINED UNRUFFLED, OUTWARDLY RESPONSIVE POSTURE. OBIDIN APPEARS CONSIDERABLY SMOOTHER AND LESS INCLINED TO TOUGH REJOINDERS THAN WAS HIS PREDECESSOR VEREYN. DRINAN MEETING MARKS WHAT FOR CONSOFFS WAS UNPRECEDENTED EFFORT BY OVIR TO APPEAR RESPONSIVE TO US REPRESENTATIONS.  
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## Message Attributes

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